

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**HENRY J. BEARD a/k/a
JAMES R. WASHINGTON a/k/a
JAMES H. WASHINGTON-BEARD
and MAGGIE BEARD,**

Plaintiffs,

vs.

**UNITED STATES OF AMERICA and
HCA HEALTH SERVICES OF
TENNESSEE, INC. d/b/a
STONECREST MEDICAL CENTER,**

Defendants.

**HCA HEALTH SERVICES OF
TENNESSEE, INC. d/b/a
STONECREST MEDICAL CENTER,**

Third-Party Plaintiff,

vs.

**ERIK B. MOTSENBOCKER, M.D.
and MICHAEL ANDERSON, M.D.**

Third-Party Defendants.

**CASE NO. 3:08-00407
JUDGE KNOWLES**

ORDER

This matter is before the Court upon two Motions for Summary Judgment filed by: (1) Defendant and Third-Party Plaintiff HCA Health Services of Tennessee, Inc., and (2) Third-Party Defendants Erik Motsenbocker, M.D., and Michael Anderson, M.D. Docket Nos. 62, 66.

Plaintiff has filed a Response to the first Motion, the body of which states in full as follows:

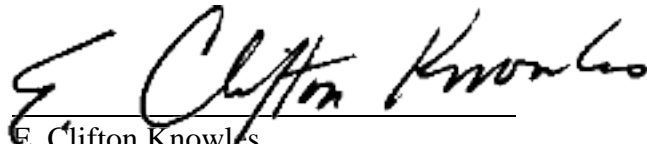
Come the Plaintiffs, and in response to Defendant/Third-Party Plaintiff HCA Health Services of Tennessee, Inc., d/b/a Stonecrest Medical Center's Motion for Summary Judgment, would state to the Court that, in their opinion, Defendant's Motion is well taken.

Docket No. 69.

For the foregoing reasons, Defendant/Third-Party Plaintiff HCA Health Services of Tennessee, Inc.'s Motion for Summary Judgment (Docket No. 62) is GRANTED.

The Third-Party Defendants' Motion for Summary Judgment argues that, if the Court grants HCA's Motion, they are entitled to a judgment as a matter of law as there would be no basis for the Third-Party Defendants to remain in this action. Docket No. 66. The Court agrees, and the Motion for Summary Judgment of Third-Party Defendants Erik B. Motsenbocker and Michael Anderson is GRANTED.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge